**REMARKS:**

In the outstanding Office Action, the Examiner rejected claims 1-14 and 16. Claims 1, 7, 12, 14 and 16 are amended herein, and new claim 17 is added. Claim 15 remains cancelled. No new matter is presented. Thus, claims 1-14, 16 and 17 are pending and under consideration. The rejections are traversed below.

**REJECTION UNDER 35 U.S.C. § 102(b):**

Claims 1, 2, 5-8 and 10-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,870,716 (Sugiyama).

Sugiyama calculates previous purchase dates and a number of previous purchases for items that have been purchased up to a present time (see, col. 6, lines 22-32). As such, when a shopper inputs the next shopping day and the next-of-next shopping day using a keyboard (see, col. 7, lines 4-16), Sugiyama compares the same with a sum of the previous purchase date and the purchase interval (see, FIG. 9 and corresponding text) and notifies the shopper of items to be purchased (see, Abstract). That is, the purchase interval in Sugiyama is based on input by the shopper.

In contrast, the present invention notifies a customer of an estimated next purchase date based on calculation of a purchase frequency of items (i.e., without requiring input of the customer). That is, the purchase record stored at a store processor is used to estimate a next purchase date and notify a customer of the next purchase date.

Independent claims 1, 7 and 12 recite, "estimating a next purchase date of an item class in accordance with a purchase frequency of the item, the next purchase date being estimated without requiring input of the customer" and "notifying the customer of the estimated next purchase date by transmitting the estimated next purchase date from the store information processor to the terminal."

Sugiyama does not teach or suggest the above-discussed features of each of the independent claims 1, 7 and 12.

It is submitted that the independent claims 1, 7 and 12are patentable over Sugiyama.

For at least the above-mentioned reasons, claims depending from the independent claims are also patentably distinguishable over Sugiyama. The dependent claims are also independently patentable.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103(a):**

Claims 3, 4, 9, 13, 14 and 16 were rejected under 35 U.S.C. § 103(a) as being anticipated by Sugiyama and U.S. Publication No. 2002/0038264 (Ishikawa).

The Examiner acknowledges that Sugiyama does not disclose a store information processor that includes an advance order unit, but relies on Ishikawa as teaching the same. However, Ishikawa is limited to making advance orders based on keywords entered by a user. (see, paragraphs 7 and 48).

Independent claim 14 recites, "receiving information to place an advance order of an item to be purchased by a customer" and displaying the information, where the received information includes "a next purchase date of the item estimated without requiring input of a customer."

Similarly, independent claim 16 recites, "providing the customer with an automatic notification indicating a predicated date for an estimated purchase of the replenishable item", wherein the predicted date is provided "without requiring input of the customer by transmitting the predicted date from a store information processor."

The combination of Sugiyama and Ishikawa does not teach or suggest that information of an item is provided to a customer "without requiring input from the customer", as recited in independent claims 14 and 16.

For at least the reasons discussed above with respect to the independent claims, dependent claims 3, 4, 9, and 13 are also patentably distinguishable over the combination of Sugiyama and Ishikawa. The dependent claims are also independently patentable. For example, claim 3 recites that the present invention includes, "... presenting information about a group of items belonging to the item class to the customer", and "... managing information about advance order items to be purchased [as] selected by the customer from the group of items." The combination of Sugiyama and Ishikawa do not teach or suggest these features of claim 3.

Therefore, withdrawal of the rejection is respectfully requested.

**NEW CLAIM:**

New claim 17 is added to recite, "estimating a next purchase date of an expendable item... based on a purchase frequency calculated" and "allowing the customer to advance order the expendable item based on the indicated estimated next purchase date received from the store system." The cited references, alone or in combination, do not teach or suggest these features of new claim 17.

Therefore, it is respectfully submitted that new claim 17 is patentably distinguishable over the cited references.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
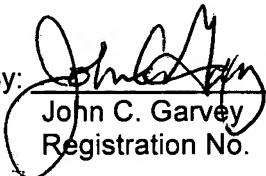
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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